

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DRFP, LLC,

Plaintiff,

v.

THE REPUBLICA BOLIVARIANA
DE VENEZUELA, *et al.*,

Case No. 2:04-CV-00793
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Terence P. Kemp

Defendants.

ORDER

The Court is in the process of considering pending Motions in this matter, including Defendants' Motion to Dismiss under Federal Rule of Civil Procedure 12(b). In their Motion to Dismiss, Defendants maintain that they are immune under the Foreign Sovereign Immunities Act ("FSIA") with respect to Plaintiff's claims for promissory estoppel and negligence. Plaintiff indicates in briefing that to prevent any further delay to this action it is willing to withdraw these two claims. Plaintiff does not expressly indicate whether it is seeking to withdraw these claims with or without prejudice. Under these circumstances, Plaintiff is **DIRECTED** to inform the Court as soon as practicable, but no later than **WEDNESDAY MAY 8, 2013**, whether it is seeking leave to withdraw its promissory estoppel and negligence claims with or without prejudice. Plaintiff may inform the Court through a simple notice, no further briefing is permitted.

IT IS SO ORDERED.

May 3, 2013

DATE

s/ Edmund A. Sargus

EDMUND A. SARGUS, JR.

UNITED STATES DISTRICT JUDGE